UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE	Pet Food Products Liability Litigation	:	Civil Action No. 07-2867(NLH)
		:	MDL DOCKET NO.: 1850
		:	ALL CASES

STIPULATION AND CONSENT ORDER

WHEREAS, on June 4, 2007, this Court entered a Consent Order prohibiting contact and settlements between Menu Foods and unrepresented members of the putative class (Civ. A. No. 07-1338, Docket No. 31);

WHEREAS, on August 28, 2007, this Court issued an Order to Show Cause (the "Order to Show Cause") why Menu Foods should not be granted leave to settle with Theresa Evans and seven other individual, unrepresented members of the putative class (Civ. A. No. 07-2867, Docket No. 23);

WHEREAS, on September 26, 2007, this Court held a hearing on, *inter alia*, the Order to Show Cause and thereafter directed the parties to submit to the Court proposed communications to individuals who were a subject of that Order to Show Cause (Civ. A. No. 07-2867, Docket No. 72);

WHEREAS, on October 17, 2007, Menu Foods submitted proposed communications for the individuals who were a subject of the Order to Show Cause that directed them to the brand manufacturers and retailers with settlement programs;

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WHEREAS, November 7, 2007, this Court approved the communications Menu Foods' submitted on October 17, 2007, and modified Consent Order to allow Menu Foods to send those communications to certain designated individuals who were a subject of the Order to Show Cause, including Ms. Evans;

WHEREAS, on November 9, 2007, Menu Foods sent the Court-approved communications to Ms. Evans and the other designated members of the putative class who were a subject of the Order to Show Cause, including Ms. Evans;

WHEREAS, following her receipt of Menu Foods' Court-approved communication, Ms. Evans notified Menu Foods that her claim involves "Shep Dog" brand pet food purchased from Aldi supermarket, which does not have a settlement program;

WHEREAS, Menu Foods seeks limited relief from the Consent Order so that it may communicate with Ms. Evans regarding the substance of her claim, use information obtained from her to evaluate her claim, and settle with her, if Menu Foods decides to do so;

WHEREAS, Menu Foods and plaintiffs have reached an agreement on the substance and content of a communication with Ms. Evans, which is attached as Exhibit 1;

IT IS HEREBY STIPULATED by and between the Plaintiffs and the Menu Foods Defendants that the Consent Order be amended to permit the following:

(1) Menu Foods will send Ms. Evans the communication attached as Exhibit 1;

(2) After Menu Foods sends the communication to Ms. Evans attached as Exhibit 1, Menu Foods is permitted to communicate with her regarding the substance of her claim, use information obtained from her to evaluate her claim, and settle with her, if Menu Foods decides to do so.

CONSENTED TO ON BEHALF OF PLAINTIFFS

Lisa J. Rodriguez
Lisa J. Rodriguez
Trujillo, Rodriguez & Richards, LLC
8 Kings Highway West
Haddonfield NJ 08033
(856) 795-9002
Fax (956) 795-9887
Liaison Counsel for Plaintiffs

CONSENTED TO ON BEHALF OF MENU FOODS DEFENDANTS

Gerard H Hanson
Gerard H. Hanson
Hill Wallack LLP
202 Carnegie Center
Princeton, NJ 08543-5226
(609) 924-0808
Fax (609) 452-1888
Local Counsel for Menu Foods Defndants

SO ORDERED

Noel L. Hillman

Honorable Noel J. Hillman, U.S.D.J.

Dated January 28, 2008

At Camden, New Jersey

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